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14
UNITED STATES DISTRICT COURT
15
EASTERN DISTRICT OF CALIFORNIA

16 RENEE C. BAILEY, an individual,

17 Plaintiff,

18 vs.

19 FCA US LLC, a Delaware Limited Liability
20 Company, and DOES 1 through 10, inclusive,

21 Defendants.

Case No.: 2:21-CV-00013-JAM-JDP

(Removed from Yolo County Superior Court,
Case No. CV2020-1645)

**STIPULATION AND ORDER TO
CONTINUE FACT AND EXPERT
DISCOVERY DEADLINES**

22
23 Plaintiff RENEE C. BAILEY (“Plaintiff”), and Defendant FCA US LLC (collectively, the
24 “Parties”), by and through their respective counsel of record, hereby respectfully apply to this
25 Court for an Order continuing the date for the Parties to complete fact and expert discovery and
26 related dates.

27 WHEREAS, the Parties further met and conferred pursuant to FRCP Rule 26(f) on August
28 19, 2021, to consider the nature and basis of the claims and defenses, the possibilities for promptly

1 settling or resolving the case, and discussing the status of discovery, and developing a reasonable
2 discovery plan with the goal of continuing settlement discussions;

3 WHEREAS, pursuant to the Court's Initial Pretrial Scheduling Order, the date for
4 completion of all fact discovery by the Parties is currently January 14, 2022, and the parties are to
5 submit a Joint Mid-Litigation Statement to the Court by December 31, 2021;

6 WHEREAS, the Parties' Initial Expert Witness Disclosures pursuant to FRCP Rule
7 26(a)(2) were due on November 12, 2021;

8 WHEREAS, the Parties' Rebuttal Expert Witness Disclosures were due on November 26,
9 2021;

10 WHEREAS, the Parties are to currently file any dispositive motion by February 25, 2022,
11 with a hearing date set for April 19, 2022;

12 WHEREAS, in light of the continuing COVID-19 pandemic and unavailability of
13 witnesses for depositions and experts for in-person vehicle inspections, the Parties have been
14 cooperating but have been unable to arrange for the depositions of each respective party and third
15 party dealership personnel, and a vehicle inspection, which remains to be scheduled;

16 WHEREAS, the Parties have mutually agreed that extending the completion date for fact
17 and expert discovery until a date sufficiently after these depositions and the vehicle inspection has
18 occurred will allow the Parties additional opportunities to discuss settlement and to avoid
19 potentially unnecessary litigation costs;

20 WHEREAS, a trial date has been set in the case for July 11, 2022;

21 NOW THEREFORE, the Parties agree and stipulate, subject to this Court's approval, that:
22 (1) the date for completion of all fact discovery by the Parties currently set for January 14, 2022,
23 shall be extended for 90 days until April 14, 2022, with a Joint Mid-Litigation Statement to the
24 Court due 14 days prior thereto; (2) the date for the Parties' Initial Expert Witness Disclosures
25 pursuant to FRCP Rule 26(a)(2) currently due on November 12, 2021, shall be extended to
26 February 10, 2022; (3) the date for the Parties' Rebuttal Expert Witness Disclosures currently due
27 on November 26, 2021, shall be extended to February 24, 2022; (4) the date for the Parties to file
28 any dispositive motions currently due February 25, 2022, shall be extended to May 26, 2022;

1 (5) the hearing date for any dispositive motions shall now be July 12, 2022 at 1:30 p.m.; (6) the
2 Final Pretrial Conference shall now be on August 26, 2022 at 11:00 a.m.; and, (7) Trial shall now
3 be on October 3, 2002 at 9:00 a.m.

4 **IT IS SO STIPULATED.**

5 **DATED:** January 12, 2022

UNIVERSAL & SHANNON, LLP

6 */s/ Jon D. Universal*
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8

**JON D. UNIVERSAL, ESQ.
JAMES P. MAYO, ESQ.
Attorneys for Defendant FCA US LLC**

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10 **DATED:** January 12, 2022

QUILL & ARROW, LLP

11 */s/ Kevin Y. Jacobson*
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13

**KEVIN Y. JACOBSON, ESQ.
Attorneys for Plaintiff RENEE C. BAILEY**

14
15 **ORDER**

16 The Court, having considered the parties' Stipulation, and good cause appearing
17 therein, orders the scheduling deadlines in this case be modified as follows:

18 Fact Discovery Completion Deadline: April 14, 2022, with a Joint Mid-Litigation
19 Statement to the Court due 14 days prior thereto;

20 Expert Disclosure: February 10, 2022

21 Rebuttal Expert Disclosure: February 24, 2022

22 Dispositive Motions: May 26, 2022

23 The Court further orders that: the hearing date for any dispositive motions shall be
24 July 12, 2022 at 1:30 p.m.; the Final Pretrial Conference shall now be on August 26, 2022 at 11:00
25 a.m.; and, Jury Trial shall now be on October 3, 2022 at 9:00 a.m.

26
27 **IT IS SO ORDERED.**

28 **DATED:** January 13, 2022

/s/ John A. Mendez

**THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE**